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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,243	02/10/2005	Boris Mayer	30882/DP022	4628
4743 7590 06/05/2008 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606			EXAMINER ROBINSON BOYCE, AKIBA K	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 06/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,243

Applicant(s)

MAYER ET AL.

Examiner

AKIBA K. ROBINSON BOYCE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-854)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 2/10/05, 3/16/05, 6/24/05

DETAILED ACTION

Status of Claims

1. Due to communications filed 2/10/05, the following is a non-final first office action. Due to a pre-amendment, claims 1-11 are cancelled. Claims 12-16 have been added. Claims 12-16 are pending in this application and have been examined on the merits. Claims 12-16 are rejected as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch et al (US 2004/0181485 A1), and further in view of Moskowitz et al (US 7,280,982).

As per claim 12, Finch et al discloses:

A method for conveying mailpieces using an electronic parcel compartment system, wherein when a mailpiece is deposited, the electronic parcel compartment system records and/or generates identification information that identifies the mailpiece, ([0006], receiving a mailed check at a mail processing location and converting to electronic form), and, during subsequent processing steps of the mailpieces, the identification information is recorded and/or evaluated in a data processing unit that stores transport data, and the identification information is stored in

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the electronic parcel compartment system and/or in a central data processing unit, wherein the identification information contains monetary information, in the area of the electronic parcel compartment system, ([0038], information from code on envelopes stored and corresponds with network address), the method comprising the steps of carrying out a payment checking procedure to confirm the presence of at least one of a monetary amount and monetary information in a predefinable amount, ([0022], shows payment amount can also be added electronically by the user and verified)...

Finch et al does not specifically disclose the following, however does disclose a system for processing a mailed check electronically as shown above.

However, Moskowitz et al discloses:

and activating an access possibility for depositing a mailpiece, if the payment checking procedure has confirmed the presence of at least one of said monetary amount and said monetary information, and relating the size of the compartment that opens directly to a set of numbers of the recorded identification information and opening a compartment of the appropriate size for a set of numbers of a certain price class, (Col. 5, lines 23-49, shows fee depends on type/size. Moskowitz et al discloses this limitation in an analogous art for the purpose of showing that once the appropriate fee is collected, the mail is sent to the mailbox which suggests that the mailbox would be of an appropriate size since the appropriate fee for sending the mail to the mailbox would indicate a certain type or size.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to open a compartment of the appropriate size for a set of numbers

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of a certain price class with the motivation of allowing the mail of a specific type/size to fit inside of the mailbox.

As per claim 13, Finch et al discloses:

comprising recording the depositing of the mailpiece into the electronic parcel compartment system in a data processing unit that stores transport data, ([0038]).

As per claim 14, Finch et al discloses:

comprising the data processing unit that stores transport data sending a digital notification message for picking up the parcel, ([0038], code indicating the address network to where the check should be sent).

As per claim 15, Finch et al discloses:

wherein at least one of the notification message and the identification information contains information about the transport of the mailpiece, and comprising the setup of effecting the transport of the mailpiece at least partially on the basis of this information, ([0038]).

As per claim 16, Finch et al discloses:

comprising recording the identification code when the mailpiece is deposited and when the mailpiece is removed from the parcel compartment system by a deliverer, ([0038]).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the •Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.
June 4, 2008

/Akiba K Robinson-Boyce/
Primary Examiner, Art Unit 3628